

Remarks

Claims 11-15 are pending. Claims 1-10 and 16-33 have been cancelled pursuant to the election made on March 11, 2005. As claim 14 has not been rejected under 35 U.S.C. §§ 102 or 103, Applicant assumes that claim 14 is allowable after the rejection under 35 U.S.C. § 112 is overcome.

Restriction Requirement

Applicant affirms the election made on March 11, 2005, selecting claims 11-15 for further prosecution.

Objection to the Specification

Applicant has corrected the informalities in the specification by correcting the reference number in paragraph [0058] and deleting the reference to Table 1 in paragraph [0077].

Rejections of the Drawings

Applicant respectfully traverses the rejection of the drawings based on the contention that the labels are not consistent with the specification. More specifically, the specification (e.g., at paras. [0056] and [0057]) clearly describes that a fundamental element may be a shape (e.g., an octagon, square, or line). Therefore, the text of Fig. 8 is consistent with the specification when using the term “fundamental shape,” rather than “fundamental element.” Accordingly, Application respectfully requests that the rejection of the drawings be withdrawn.

Rejections under 35 U.S.C. § 112

Claims 11-15 stand rejected under 35 U.S.C. § 112, first paragraph. Applicant respectfully traverses the rejection of claim 11 under § 112, first paragraph, for the following reasons. The specification states at para. [0058] that:

The sequence 80 begins in step 82 by identifying the fundamental elements of the design. A library of fundamental elements 92 is

used as a reference for the identification process, which allows elements to be added, removed, or edited as design requirements change. The identification process searches the design for any occurrence of known patterns stored in the library 82.

Applicant submits that this text clearly supports the element of claim 11 reciting “identifying a plurality of fundamental shapes occurring in the design by comparing discrete portions of the design to a library containing the fundamental shapes.” For example, “comparing discrete portions of the design to a library containing the fundamental shapes” is clearly described by “[t]he identification process search[ing] the design for any occurrence of known patterns stored in the library 92”.

Furthermore, although Applicant respectfully traverses the contention that claim 11 as filed is not supported by the specification, Applicant also notes that the originally filed claims themselves may satisfy the written description requirement. As stated by MPEP § 2163, “[i]t is now well accepted that a satisfactory description may be in the claims or any other portion of the originally filed specification.” See also MPEP § 608.01, which states that “[i]n establishing a disclosure, applicant may rely not only on the description and drawing as filed but also on the original claims if their content justifies it.” Accordingly, even if the above element of claim 11 is not supported by the specification (a contention which Applicant traverses), Applicant submits that claim 11, as filed, satisfies the written description requirement.

Applicant also respectfully traverses the rejection stating that Fig. 8 does not describe “comparing discrete portions of the design to a library containing the fundamental shapes.” The cited claim element begins with the language “identifying a plurality of fundamental shapes occurring in the design by ...,” which is clearly disclosed in step 82 of Fig. 8 that states “IDENTIFY FUNDAMENTAL SHAPES.” Applicant submits that the language of claim 11 is merely one embodiment of the method described by Fig. 8, and that the language of claim 11 reciting “comparing discrete portions of the design to a library containing the fundamental shapes” is encompassed by step 82 of Fig. 8.

Accordingly Applicant requests that the rejections under MPEP § 112, first paragraph, be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 11-13 and 15 stand rejected under 35 U.S.C. § 102(b) over WO 00/03307 to Ishikawa (“Ishikawa”). As the PTO provides in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Therefore, the cited reference must disclose all of the elements of the claims to sustain the rejections. Accordingly, Applicant respectfully traverses this rejection on the following grounds.

Claim 11 recites a method for transferring a design for projection in an imaging system, the method comprising: identifying a plurality of fundamental shapes occurring in the design by comparing discrete portions of the design to a library containing the fundamental shapes; extracting the fundamental shapes from the design; and transferring the extracted fundamental shapes for projection in the imaging system.

Applicant submits that Ishikawa fails to teach or suggest each of the above recited elements of claim 11 as required by MPEP § 2131. For example, the pattern generator 38 and computer aided pattern design system 36 of Fig. 2 do not teach or suggest “identifying a plurality of fundamental shapes occurring in the design by comparing discrete portions of the design to a library containing the fundamental shapes” as stated in the Office action. Furthermore, the text of Ishikawa corresponding to Fig. 2 fails to teach or suggest at least the above element of claim 11. Accordingly, claim 11 is allowable over the cited reference. Claims 12, 13, and 15 depend from and further limit claim 11 and are therefore allowable for at least the same reason as claim 11.

Conclusion

It is respectfully submitted that all the claims in the application are in condition for allowance. Should the Examiner deem that any further amendment is needed to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

T. F. Bliss

Timothy F. Bliss

Reg. No. 50,925

Date: September 26, 2005

HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972-739-8638
Facsimile: 972-692-9101
File: 22397.312
R-116679

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
envelope addressed to the Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450
on 9-26-05
Dayle Conner
Signature of person mailing paper and fee